

Notice of Allowability

Application No.

10/500,204

Applicant(s)

WINTER ET AL.

Examiner

Sathyanarayan Pannala

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/15/2007.
2. ☒ The allowed claim(s) is/are 1-4, 13 and renumbered as 1-5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

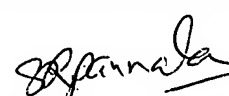
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date Attached.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Sathyanarayan Pannala
Primary Examiner

DETAILED ACTION

1. Applicant's Amendment filed on 6/28/2007 has been entered with amended claims 1-4, 13 and cancelled claim 12. In this Office Action, claims 1-4 and 13 are pending.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joel M. Fogelson on 11/8/2007.

Claims: Replace amended on record claim 1 with the following:

1. (Currently amended) Computer-implemented method ~~Method~~ for automatic detection of data types for data type dependent processing by a technical device, comprising the steps of:
 - a) receiving a data file,
 - b) analyzing said received data file to determine whether the format of said received data file can be detected,

c) after detecting the format of the received data file, using said detected format for evaluating a whether said data type of each of at least two data items of different data type wherein the at least two data items are comprised in said received data file and are either of:

an essence data type being defined to be either data which is interpretable by a device as a link pointing to reference data but with no data referring to said link or data which the device is unable to interpret as a link,

a metadata subtype being defined as data interpretable by the device as a link pointing to reference data and any essence data referring to said link or of

a container data type containing at least an essence data item and another data item of any data type,

d) evaluating for each of the at least two data items whether the device is able to interpret the respective essence data for reproducing a physical representation of the data not interpretable as a link or the linked reference data being said respective essence data so as to indicate that the corresponding data item is either of a physical data type, if the device is able to interpret the respective essence data, or of an abstract data type, and

e) supplying the result of said evaluations to the device for data type dependent processing of each of said at least two data items.

Reasons for allowance

3. The following is an examiner's statement of reasons for allowance:

- Prior art of record does not appear to teach or suggest or render obvious the claimed limitations in combination with the specific added limitations as recited in independent claim 1. The prior art of record fails to teach or suggest in combination of claimed elements including "evaluating for the device the data type dependent processing of each of said at least two data items."
- Guck (US Patent 5,864,870) teach a computer-implemented method for determining the type and content of incoming files, transforming such files into objects, and storing them in an object database for later retrieval, which database is part of a specialized server coupled to a network. Whereas Esquibel et al. (US Patent 6,662,186) teaches a method for propagating data saved in one file format to another file format. The invention may be conceptualized as a system located on a computer for propagating data saved in one file format to another file format, comprising a first data file saved in a first file format and a software module associated with the first data file.
- Applicant argued as "Therefore, it is respectfully submitted that Guck neither discloses nor suggests "supplying the result of said evaluations to the device for data type dependent processing of each of said at least two data items" as recited in claim 1 of the present invention" (see page 7, paragraph 2). Applicant also argued as "Therefore, it is respectfully submitted that Esquibel et al., similar to Guck, neither disclose nor

suggest "after detecting the format of the received data file, using said detected format for evaluating a data type of each of at least two data items of different data type" as recited in claim 1 of the present invention" (see page 8, paragraph one). These and other arguments are persuasive and valid.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

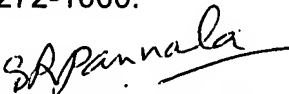
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2164

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Sathyanarayan Pannala
Primary Examiner

srp
November 8, 2007